



Practitioner's Docket No. 2373/103

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard Courthope Giles, Harley Lawson Pederick

Application No.: 09/936,280

Group No.: 3725

Filed: 08/13/2002

Examiner: Self, S.M.

For: Tree Harvesting Apparatus

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response to the Notice of Non-Compliant Amendment and a Resubmission of Response B for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: March 25, 2005

Kenneth S. Sachar

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	39	- 42	= 0	x \$ 25.00	= \$		0.00
INDEP.	5	- 5	= 0	x \$ 100.00	= \$		0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$		0.00
				TOTAL ADDIT. FEE	\$		0.00

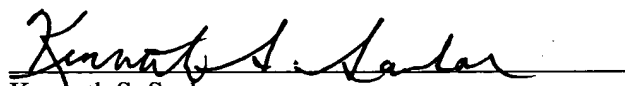
No additional fee for claims is required.

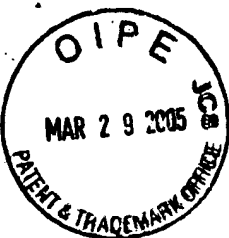
FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: March 25, 2005


 Kenneth S. Sachar
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 125 Summer Street
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Giles et al. Att'y Docket: 2373/103
Serial No: 09/936,280 Art Unit: 3725
Date Filed August 13, 2002 Examiner: Self, S. M.
Invention: TREE HARVESTING APPARTUS Date: March 25, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 25, 2005.


Kenneth S. Sachar

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Dear Sir:

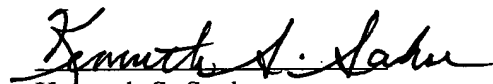
In response to the notice of non-compliant amendment (37 CFR 1.121) of March 18, 2005, in the above identified patent application, Applicant respectfully requests consideration of the patent application pursuant to the enclosed resubmitted copy of the March 1, 2005 response to the December 1, 2004 office action. Proper claim status identifiers have been provided to claims 18-19, 22-23, 25, 27-29, 32-33, 35-39, 42-43, 46-50, 53-54, and 57.

Appl. No. 09/936,280
Amdt. Dated March 25, 2005
Reply to Notice of Non-Compliant Amendment of March 18, 2005

In view of the foregoing amendments, this application is now in condition for allowance, and a notice to this effect is respectfully requested. If the Examiner believes, after these amendments, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

Applicants believe that no extension of time is due. If any additional fees are due in connection with this response, Commissioner is authorized to charge PTO Deposit Account no. 19-4972.

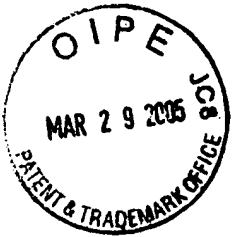
Respectfully submitted,



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Attorney's Docket No.: 2373/103
March 25, 2005

02373/00103 372835.1



IFN 3725

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Giles et al. Att'y Docket: 2373/103
Serial No: 09/936,280 Art Unit: 3725
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Kenneth S. Sachar

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE B (RESUBMISSION)

Dear Sir:

In response to the office action of December 1, 2004, in the above identified patent application, Applicant respectfully requests reconsideration of the patent application pursuant to following amendments and discussion.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 13 of this paper.